IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 8205 of 2007(S)

PETITIONER:

THE PARISTHITHI SAMRAKSHANA SAMITHI,
OKKAL REPRESENTED BY ITS CONVENOR C.P.THOMAS,
S/O.C.S.POULOSE, AGED 33 YEARS, CHITTUPARAMBAN,
CHERANELLOOR, EDAVOOR, KOOVAPPADY, ERNAKULAM.

BY ADV. SRI.MATHEW ABRAHAM
SRI. UNNI CHITTUPARAMBAN

RESPONDENTS:

1. THE DISTRICT COLLECTOR, COLLECTORATE,
ERNAKULAM.

2. THE OKKAL GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
OKKAL, ERNAKULAM.

3. THE TAHSILDAR, KUNNATHUNADU TALUK,
KUNNATHUNADU, ERNAKULAM.

4. THE SUB INSPECTOR OF POLICE,
KODANADU POLICE STATION,
ERNAKULAM.

SENIOR GOVERNMENT PLEADER SMT.MEERA
ADV.SRI.ASOK M.CHERIAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.P.(C). NO. 8205 OF 2007

Dated this the 19th June, 2007

JUDGMENT

H.L.DATTU, C.J.

None appears for the petitioner.

2. Petitioner is a Samithi represented by its Secretary. It is alleged that the Samithi is working for the reservation and protection of environment, in particular to Periyar River. In this petition filed under Article 226 of the Constitution, petitioner seeks the following reliefs. They are as under:

> "i) issue writ of mandamus by directing 1st to 3rd respondents not to reopen the 'Panamkudy Kadavu' which is closed on 3.3.2007.
>
> ii) to issue a writ of mandamus directing 1st and 4th respondents to initiate Criminal Proceedings against the culprits for illegal sand mining and seize the vehicles used for the same.
>
> iii) to issue a writ of mandamus directing the 1st to 3rd respondents to issue pass for the sand mining only to the consumers, not to the contractors."

3. The respondents have filed a detailed statement of objections and also the orders passed by the respondents from time to time. A perusal of the statement filed and also the orders passed by them would

clearly demonstrate that the respondents have taken effective steps for stopping the illegal sand mining in Periyar River.

4. We are satisfied with the statement filed by the respondents and also the orders issued by them. In that view of the matter, for the present, we need not have to issue any direction to the respondents. Accordingly, the Writ Petition is disposed of as unnecessary.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/